

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

IN RE: COVENANT PARTNERS, L.P.

GARY F. SEITZ,
*as Chapter 7 Trustee for the Estate of Debtor
Covenant Partners, L.P.,*

Plaintiff,

v.

WILLIAM B. FRETZ, et al.,

Defendants.

CIVIL ACTION
NO. 17-0052

ORDER

AND NOW, this 13th day of September 2018, in accordance with the Opinion of the Court issued this day and following the bench trial held before this Court on January 22-25, 2018, it is **ORDERED** as follows:

1. Judgment is entered in favor of Defendants William B. Fretz, Jr. and John P. Freeman and against Plaintiff Gary F. Seitz, as Chapter 7 Trustee for the Estate of Debtor Covenant Partners, L.P., on Plaintiff's Adversary Complaint for Breach of Fiduciary Duty (Bankruptcy Adversary No. 16-00226, Doc. No. 1).
2. Defendants' Motion *in Limine* to Preclude Securities and Exchange Commission (SEC) Offers of Settlement (Bankruptcy Adversary No. 16-00226, Doc. No. 64) is **DENIED** as moot.
3. Defendants' Motion *in Limine* to Bar Evidence from the Securities and Exchange Commission and Evidence of the Trustee's Damages (Bankruptcy Adversary No. 16-00226, Doc. No. 66) is **GRANTED**.

4. Defendants' Motion *in Limine* to Preclude Frorer Hearsay Statements
(Bankruptcy Adversary No. 16-00226, Doc. No. 68) is **DENIED**.
5. The Clerk of Court shall close this case for statistical purposes.

BY THE COURT:

/s/ Joel H. Slomsky
JOEL H. SLOMSKY, J.